

EXPRESS MAIL NO.: <u>EL 451 599 536 US</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Chang, et al.

Confirmation No. 8931

Serial No.: 09/465,491

Group Art Unit: 1634

Filed: December 16, 1999

Examiner: Goldberg, J.

For: QUANTITATION OF hTERT mRNA

Attorney Docket No.: 19034

EXPRESSION

(formerly RPA 1002)

FEE TRANSMITTAL SHEET

FEB 2 8 2003
TECH CENTER 1600/2900

Commissioner for Patents Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$0.

The claim amendment fee has been estimated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY				OTHER THAN A SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE		ADDIT. FEE	OR	RATE		ADDIT. FEE
TOTAL	11	MINUS	27	=	0	× 9	\$	-		× 18	\$	0.00
INDEP.	01	MINUS	03	=	0	× 42	\$			× 84	\$	0.00
☐ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						140	\$			280	\$	
						TOTAL	\$		OR	TOTAL	\$	0.00

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date: February 21, 2003

42,983

Rahul Pathak

(Reg. No.)

For: Nikolaos C. George (Reg. No. 39,201)

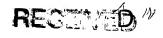
PENNIE & EDMONDS LLP 1155 Avenue of the Americas New York, New York 10036-2711

(212) 790-9090

Enclosure

09/465,491





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AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.116

Commissioner for Patents Washington, D.C. 20231

Sir:

Applicants have carefully considered the Advisory Action, mailed February 12, 2003, in connection with the above-captioned application. Reconsideration of the claims in light of the amendments and remarks that follow is respectfully requested. Enclosed herewith are Exhibit A (Claim Amendments: Version with Markings to Show Changes Made) and Exhibit B (Claim Amendments: Pending Claims After Entry of Instant Amendments) and Fee Transmittal Sheet.

AMENDMENT

IN THE CLAIMS

Please cancel Claims 31, 38-45 and 48-49 without prejudice.

Please amend Claim 21 to read as follows:

- 21. (Thrice amended) A method for identifying the presence of cancerous cells in a human sample wherein said method comprises:
 - (a) determining the quantity of hTERT mRNA comprising β -region coding sequence in said sample and in a control sample of non cancerous cells by: